

REMARKS

This Amendment, submitted in response to the Office Action dated July 23, 2004, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1, 2, 6-16, and 25-27 are all the claims pending in the application. Claims 3-5 and 17-24 have been canceled from the application. The remaining claims have been amended to better conform with USPTO practice and procedure.

I. Preliminary Matters

Applicant respectfully requests that the Examiner initial the PTO/SB/08 A & B (modified) filed January 7, 2002.

Further, Applicant respectfully requests that the Examiner approve the drawings filed on January 7, 2002.

II. Rejection of claims 1-10 and 17-24 under 35 U.S.C. § 102(b)

Claims 1-10, and 17-24 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Crosbie et al. (USP 5,537,679).

Crosbie discloses a telecommunication method using non-geostationary Earth satellites inside which calls involving terminals are relayed by a management station and in which each terminal and the management station communicate via a satellite (Fig. 1 of Crosbie). Another satellite takes over a call when the former satellite is no longer used. Handovers are scheduled in

routing plans sent to each satellite. (Fig. 7 and corresponding text). Controlling handover of calls from one satellite to another then makes use of predetermined times during which at least two satellites are simultaneously visible from the concerned gateway (Fig. 3).

However, handovers of terminals are not specifically addressed by Crosbie. This assertion is reinforced by the fact that the description is provided for only the ground link 20 that is a link between a gateway and a satellite (Fig. 1).

Further, in Crosbie, the Earth is not “divided into areas inside which calls involving terminals are relayed by a management station.” Moreover, terminals in Crosbie are not “stationary,” as terminals are represented on Fig. 1 by a mobile unit.

In addition, Crosbie does not describe any means for controlling call handovers “collectively for a plurality of terminals”. Moreover, an exemplary embodiment of the present invention concerns the non-optimization, in prior art, of the use of resources for handovers of fixed terminals, a problem which is not mentioned or realized in Crosbie.

For at least the above reasons, claim 1 and its dependent claims should be deemed patentable. Since claim 26 recites similar elements, claim 26 and its dependent claims should also be deemed patentable.

III. Rejection of claims 11-16 and 25 under 35 U.S.C. § 103(a)

Claims 11-16 and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Crosbie in view of Hart et al. (USP 6,314,269).

Hart discloses a method allowing an Earth station to select a satellite for handover when several satellites are available. However, there is no teaching or suggestion that the elements of

Hart should be combined with the predetermined handover times taught in Crosbie. Therefore, there is no reason to consider that the man skilled in the art would or even could combine the teachings of the cited documents in the manner alleged by the Examiner.

Moreover, Hart does not cure the above-mentioned deficiencies of Crosbie. For at least the above reasons, claims 11-16 and 25 should be deemed patentable.

IV. New claims

Applicant has added claims 26 and 27. Claim 26 recites subject matter similar to previously pending claims 22, 23 and 24. Claim 26 and its dependent claims should be deemed patentable for the reasons set forth above. Claim 27 recites subject matter similar to claim 2 and should be deemed patentable for the same reasons.

V. Conclusion

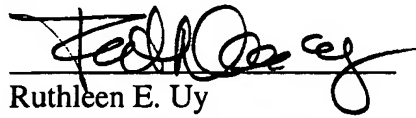
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 10/019,937

Attorney Docket No.: Q67858

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ruthleen E. Uy
Registration No. 51,361

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 25, 2004